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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,513	07/13/2001	Arnold Kholodenko	6089/CALB/ECP/PJS	3332

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APPLIED MATERIALS, INC.
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SANTA CLARA, CA 95050

EXAMINER

NICOLAS, WESLEY A

ART UNIT	PAPER NUMBER
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1742

DATE MAILED: 11/07/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

020-11

Office Action Summary	Application No. 09/905,513	Applicant(s) KHOLODENKO, ARNOLD	
	Examiner Wesley A. Nicolas	Art Unit 1742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-27 and 46-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-27 and 46-50 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 51 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>7,8,9</u> | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

This is in response to the Amendment submitted August 22, 2003. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 3-27 and 46-51 are currently pending in this application.

Election/Restriction

1. Applicant's cancellation of non-elected claims 28-45 has been noted. Applicant may re-file said claims in a divisional application.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 6/19/03, 7/25/03, and 8/18/03 were filed after the mailing date of the First Office action on June 11, 2003. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner. Applicant made reference to Application No. 09/912,578 which Examiner did not consider in IDS paper #
2. Therefore, since Applicant has provided the requisite copy of said application, it will be considered by the Examiner. As such, 09/912,578 has been written into the IDS submitted on 8/18/03.

Claim Objections

3. Claim 51 is objected to because of the following informalities:

Regarding claim 51, the limitation, "the sealing lip moves laterally outwards to wipe the face of the substrate, and upon disengagement of the substrate with the seal, the sealing lip moves laterally inward to wipe the surface of the substrate" is considered to be a method limitation which does little to define structure in the apparatus claim. Perhaps Applicant could amend the claim to say, "the sealing lip adapted to move[s] laterally outwards.... the sealing lip adapted to move[s] laterally inwards" (with underlines showing additions and brackets showing deletion).

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. Claims 1-4, and 9-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Woodruff et al. (6,080,291).

The rejection of claims 1-4, and 9-10 as set forth in the previous Office action has been **withdrawn** in view of Applicant's amendment and convincing argument submitted August 22, 2003.

5. Claims 22-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Crafts et al. (5,807,469).

The rejection of claims 22-26 as set forth in the previous Office action has been **withdrawn** in view of Applicant's amendment and convincing argument submitted August 22, 2003.

Claim Rejections - 35 USC § 103

6. Claims 5-8 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woodruff et al. (6,080,291) as applied to claims 1 above, and further in view of Kholodenko et al. (5,885,469).

The rejection of claims 5-8 and 11-13 as set forth in the previous Office action has been **withdrawn** in view of Applicant's amendment and convincing argument submitted August 22, 2003.

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Woodruff et al. - Kholodenko et al. combination as applied to claim 11, and further in view of Crafts et al. (5,807,469).

The rejection of claim 14 as set forth in the previous Office action has been **withdrawn** in view of Applicant's amendment and convincing argument submitted August 22, 2003.

8. Claims 16-18 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Woodruff et al., and further in view of Crafts et al. (5,807,469).

The rejection of claims 16-18 as set forth in the previous Office action has been **withdrawn** in view of Applicant's amendment and convincing argument submitted August 22, 2003.

9. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Woodruff et al. - Crafts et al. combination as applied to claim 19 above, and further in view of Kholodenko et al. (5,885,469).

The rejection of claims 19-20 as set forth in the previous Office action has been **withdrawn** in view of Applicant's amendment and convincing argument submitted August 22, 2003.

10. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Crafts et al. (5,807,469) as applied to claim 22 above, and further in view of Kholodenko et al. (5,885,469).

The rejection of claim 27 as set forth in the previous Office action has been **withdrawn** in view of Applicant's amendment and convincing argument submitted August 22, 2003.

Allowable Subject Matter

11. Claims 1, 3-27 and 46-50 are allowable over the prior art of record.

12. Claim 51 would be allowable if rewritten or amended to overcome the claim objections set forth in this Office action.

Art Unit: 1742

REMARKS - Response to Argument

13. Applicant's arguments, see Paper #10, filed August 22, 2003, with respect to claims 1, 3-27, and 46-50 have been fully considered and are persuasive. As set forth above, the 35 U.S.C. §§ 102 and 103 rejections in the previous Office action of June 11, 2003 have been withdrawn.

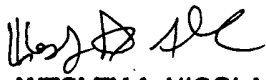
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wesley Nicolas whose telephone number is (703)305-0082. The examiner can normally be reached on Mon.-Thurs. from 7am to 5pm.

The Supervisory Primary Examiner for this Art Unit is Roy King whose telephone number is (703) 308-1146.

The fax number for this Group is (703) 872-9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.


WESLEY A. NICOLAS
PATENT EXAMINER

November 4, 2003